

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

Dawn Holter, Plaintiff, v. CM Association Group c/o Compliance Department 108 Business Center Drive, Ste A Corona, CA 92880	Case No. COMPLAINT
Defendant.	Jury Demand Requested

JURISDICTION AND VENUE

- 1- This court has jurisdiction pursuant to 28 U.S.C. §1331 and 15 U.S.C. §1692k(d).
- 2- Venue is proper because a substantial part of the events giving rise to this claim occurred in this District.

PARTIES

- 3- Plaintiff is a resident of the State of Illinois.
- 4- Plaintiff incurred an obligation to pay money, the primary purpose of which was for personal, family, or household uses (the öDebtö).
- 5- Defendant is a corporation with its principal place of business in the State of California.
- 6- Defendant uses instruments of interstate commerce for its principal purpose of business, which it the collection of debts.
- 7- Defendant regularly attempts to collects, or attempts to collect, debts owed or due another.
- 8- At all times relevant, Defendant owned the Debt or was retained to collect the Debt.

FACTS COMMON TO ALL COUNTS

- 9- On May 31, 2011, Plaintiff filed a voluntary bankruptcy petition that included the Debt.
- 10- On or around August 25, 2011, Defendant telephoned Plaintiff to collect the Debt.
- 11- During this communication, Defendant threatened to serve Plaintiff with a lawsuit if the Debt was not paid.
- 12- During this communication, Defendant threatened to garnish Plaintiff's wages in the Debt was not paid.
- 13- At the time of this communication, Defendant did not have a garnishment order against Plaintiff.
- 14- Defendant damaged Plaintiff.
- 15- Defendant violated the FDCPA.

COUNT I

- 16- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 17- Defendant violated 15 USC § 1692e(2) by misrepresenting the character, amount, and/or legal status of the debt.

COUNT II

- 18- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
- 19- Defendant violated 15 USC § 1692e(5) by threatening to take action that it could not legally take.

COUNT III

- 20- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.

21- Defendant violated 15 USC § 1692e(5) by threatening to take action that it did not intend to take.

COUNT IV

22- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
23- Defendant violated 15 USC § 1692e(10) by making false representations during the collection, or attempted collection, of a debt.

COUNT V

24- Plaintiff incorporates all the allegations and statements made above as if reiterated herein.
25- Defendant violated 15 USC § 1692f by using unfair and unconscionable means to collect or attempt to collect a debt.

JURY DEMAND

26- Plaintiff demands a trial by jury.

PRAYER FOR RELIEF

27- Plaintiff prays for the following relief:

- a. Judgment against Defendant for Plaintiff's actual damages, as determined at trial, suffered as a direct and proximate result Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(1);
- b. Judgment against Defendant for \$1,000 in statutory damages for Defendant's violations of the Fair Debt Collection Practices Act, pursuant to 15 U.S.C. §1692k(a)(2)(A);
- c. Judgment against Defendant for Plaintiff's reasonable attorneys' fees and costs incurred in this action, pursuant to 15 U.S.C. §1692k(a)(3); and

d. Any other legal and/or equitable relief as the Court deems appropriate.

RESPECTFULLY SUBMITTED,

Meier LLC

By: /s/ Richard J. Meier

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